

BEST AVAILABLE COPY

REMARKS

Claims 1-34 and, upon entry of this supplemental response, new claims 35 and 36 are pending.

Applicants' agent, Julius Fister, appreciates the courtesies extended by the Examiner during a telephone conversation October 14, 2004. As discussed with the Examiner, the independent claims have been amended to recite that the fluid path extends around the gas-tight chamber (claims 1, 13, 23, and 24) or the sealed chamber (claims 34-36). It is believed that this amendment is supported by the application as originally filed (e.g., by Fig. 1) and confirms the patentability of the claims over the combination of U.S. patent no. 2,618,908 to Salter et al. ("Salter") in view of U.S. patent no. 3,913,613 to Kostjunin ("Kostjunin").

A terminal disclaimer with respect to commonly owned U.S. application no. 10/058,764, filed January 30, 2002, is attached.

A revised copy of Fig. 2 is attached.

Claims 1-9, 11-21, and 23-34 are understood to be rejected under 35 U.S.C. § 103(a) as being unpatentable over Salter and Kostjunin.

Salter discloses a gas pressure regulator having a chamber including a spring, which cooperates with an adjustment screw for adjusting bias applied to a piston. Salter, Fig. 3. The flow path of Salter does not come close to extending around the chamber. Instead, the flow path passes by one end of the chamber opposite the adjustment screw.

Kostjunin also discloses a regulator in which the flow path passes by one end of a chamber.

The present claims recite that the fluid path extends around the gas-tight chamber (claims 1, 13, 23, and 24) or the sealed chamber (claims 34-36). It is submitted that no combination of Salter and Kostjunin discloses such a configuration. Hence, the present claims are submitted to be patentable over the combination of Salter and Kostjunin.

Claims 10 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 5,303,734 to Eidsmore ("Eidsmore") in view of U.S. patent no. 4,561,465 to Rogers ("Rogers").

Applicant : Jaap Herman van't Hoff
Serial No. : 10/058,763
Filed : January 30, 2002
Page : 14 of 17

Attorney's Docket No.: 17042-002001

BEST AVAILABLE COPY

Amendments to the Drawings:

The attached replacement sheet of drawings includes changes to Fig.2 and replaces the original sheet including Fig. 2.

In Figure 2, the label was amended. No new matter was added.

Attachments following last page of this Amendment:

Replacement Sheet (1 pages)
Annotated Sheet Showing Change(s) (1 pages)

BEST AVAILABLE COPY

Independent claims 1 and 13, from which claims 10 and 22 respectively depend, refer to a gas-tight chamber comprising "a resilient element for generating a second portion of said predetermined force, the resilient element configured to urge the pressure sensor element toward the first position." The first position is an open position in which fluid may pass from the inflow opening to the outflow opening.

Eidsmore discloses a pressure regulator including a spring 120, which biases the pressure regulator toward its closed position, rather than toward its open position. Eidsmore, 6:33-40. Indeed, spring 120 "assure[s] that the poppet moves to the closed position if the charge is lost." *Id.* (Our emphasis). Accordingly, modifying Eidsmore to include a resilient element that urges a pressure sensor element to the open position would change the principle of operation of Eidsmore.

In view of the foregoing, the Office Action has not set forth a prima facie case of obviousness with respect to claims 1-9, 11-21, and 23-34.

New claims 35 and 36 are also submitted to be patentable over the cited art. For example, Eidsmore discloses that "as the bellows flattens and approaches its stack-height, the spring rate of the bellows becomes very high." Eidsmore, 6:12-14. Eidsmore also teaches that a biasing force of a spring tends to urge movable portion 34 toward the outlet. *Id.*, 6:43-45. Accordingly, Eidsmore teaches away from claim 35, which recites "a sealed chamber comprising a movable wall connected to [a] valve for regulating the pressure in the fluid path based only on a difference between [] first and second pressures." Eidsmore also teaches away from claim 36, which recites that the "position of the movable wall with respect to the housing [is] determined by a sum of axial forces resulting from the first and second pressures acting upon the movable wall." The first and second pressures result from fluid.

Applicants respectfully submit that the application is in condition for allowance. If, however, there are any remaining issues to be addressed, a telephone interview is requested to address such issues.

It is believed that a \$172 check for excess claim fees and a \$950 check for the Petition for

Applicant : Jaap Herman van't
Serial No. : 10/058,763
Filed : January 30, 2002
Page : 17 of 17

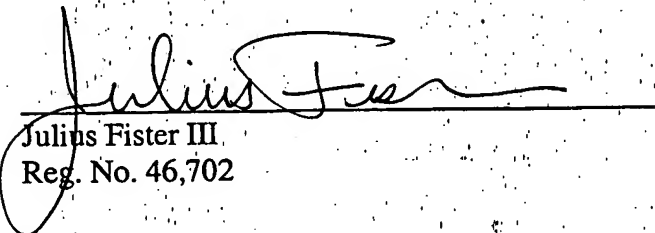
Attorney's Docket No.: 17042-002001

BEST AVAILABLE COPY

Extension of Time fee were previously accepted by the Patent Office. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: October 20, 2004


Julius Fister III
Reg. No. 46,702

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

20960197.doc